

AFRICAN-AMERICAN AFFAIRS COMMISSION
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591
(860) 240-8555
FAX (860) 240-8444

Testimony before the Judiciary Committee

Monday March 12th, 11.00 am, Room 2C

Good morning, Senator Coleman, Representative Fox and members of the Judiciary Committee. My name is Glenn Cassis the Executive Director of the African-American Affairs Commission (AAAC), a non-partisan state agency and an advocate for the state's African-American community. We thank the Committee for its commitment, passion and guidance in helping raise ***Senate Bill (SB) 364 – An act concerning traffic stop information.***

A focus of our work includes ensuring fairness in the criminal justice system by addressing unwarranted racial and ethnic disparities in how justice is served. It is no coincidence that roughly 44 percent of the children represented in detention centers in the state are African-American¹ and at least 42 percent of African-Americans make up the state's prison population.² The lifetime likelihood of incarceration for African Americans is 16.2 percent almost twice that of Hispanics at 9.4 percent and more than six times that of whites at 2.5 percent. As we can see, the statistics are heavily stacked against African-Americans in all areas of criminal justice. Its in this spirit we speak in support of. ***Senate Bill (SB) 364 – An act concerning traffic stop information.***

SB 364 emerged as result of an initial bill the Penn Act introduced to address the issue of racial profiling in our state at the time. Racial profiling by law enforcement is wrong on many grounds. Firstly it is inconsistent with our

¹ Connecticut Voices for the Children, Reforming Connecticut's Juvenile Justice System. Racial and Ethnic Biases

² Connecticut Inmate Population by Race and Ethnicity

democratic values and violates the equal protection rights of citizens under the constitution. A race-based assumption in law enforcement perpetuates negative racial stereotypes that are harmful to our rich and diverse democracy. It materially impairs our efforts to maintain a fair and just society. Furthermore using race, ethnicity, national origin or religion to single out people for police scrutiny only deepens racial divides in our state, creating an environment of mistrust between law enforcement and the victimized communities. This erosion in public trust makes it even more difficult for police to maintain the law and order in certain communities.

Most importantly racial profiling does nothing to promote public safety. Studies confirm that for example using racial profiling to interdict highway-bound suspected drug couriers is ineffective. A survey by the Department of Justice in 1999 revealed that while officers disproportionately focused on African American and Latino drivers, they found drugs more often when they searched whites at 17 percent than when they searched African Americans at 8 percent. Another study by Lamberth Consulting reported that when U.S. Customs agents began using race-neutral factors such as behavior, to identify drug smugglers they increased the rate of productive searches by more than 300 percent.³

A shocking case of racial profiling worth mentioning happened in New Jersey to Santiago Villanueva a black man from the Dominican Republic, who spoke minimal English. This was a man who suffered from epileptic seizures. Unfortunately one day Santiago had a seizure attack. Police were called to the scene, observing this behavior mistook his condition for a drug overdose. In response they reportedly threw him on the ground, placed a knee on his back and caused him to stop breathing. He was given oxygen, gained consciousness for a short while, was handcuffed and taken to the hospital where he later died. Conversely even though racial profiling appears to disproportionately affect minorities whites can be affected too in certain instances, as was the case of

³ www.amnesty.org, The Truth About Racial Profiling, Five Facts

Mohammed the D.C. sniper. In that case Mohammed managed to evade law enforcement for a while because police initially profiled the alleged sniper as a white male. Any of these incidents could happen anywhere in the country without the proper mechanisms in place to address law enforcement practices.⁴

The reason the Commission decided to revisit the issue of racial profiling is that the current system for reporting traffic stop data is ineffective. Without empirical data its impossible to assess the extent of racial profiling in the state, whether it is fact or fiction. The original purpose of what was written into law as the Penn Act is not working for a variety reasons, including but not limited to lack of resources, a standardized and effective system for collecting, analyzing and reporting data. The Commission believes that a comprehensive approach to addressing and eliminating racial profiling must include: 1) a ban on the practice of racial profiling, 2) a standardized and effective data collection system 3) a mechanism for creating and implementing strategies to address racial profiling patterns that may be unearthed. 4) Equally important is a true partnership between law enforcement and the community to mediate alleged complaints of racial profiling.

Missouri and Illinois are two states that have enacted legislation that serve as models of the type of comprehensive efforts needed to effectively assess and address racial profiling. In both states, the ability to confront disparities in the number and types of police stops has laid the groundwork for a fairer system of justice and is helping to restore public confidence in the law enforcement community. For better results we urge Connecticut to follow their example.

Thank you for the opportunity to testify.

⁴ www.amnesty.org, Threat and Humiliation, Racial Profiling, Domestic Security, and Human Rights in the United States